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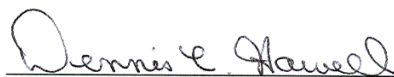
Defendants

"when justice so requires." Id. Absent a showing of undue delay, bad faith, futility, or prejudice to the opposing party, a court should grant a party leave to amend. Foman v. Davis, 371 U.S. 178, 182, 83 S. Ct. 227 (1962); Equal Rights Center v. Niles Bolton Assocs., 602 F.3d 597. The proposed amendment to Defendants' Second Answer would not result in undue delay or prejudice to Plaintiff, and the amendment is not futile or made in bad faith. Accordingly, the Court **GRANTS** Defendants' Motion to Amend Amended Answer to Complaint [# 27].

II. Conclusion

The Court **GRANTS** Defendants' Motion to Amend Amended Answer to Complaint [# 27]. Defendants shall file their Amended Answer by December 7, 2011. The Court **DENIES as moot** the Motion to Dismiss Defendants' Counterclaims and Third-Party Claims [# 11]. Plaintiff shall have twenty (20) days from the filing of the Second Amended Answer to answer or otherwise respond to any counterclaims or third-party claims.

Signed: November 22, 2011

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Dennis L. Howell
United States Magistrate Judge



